

**ARKANSAS PROFESSIONAL BAIL BOND COMPANY AND PROFESSIONAL
BAIL BONDSMAN LICENSING BOARD**

June 10, 2005

Chairman Don Smith called the meeting to order at 9:00 a.m.

Roll call was taken. The following members were present: Rex Morris, Frank Sturgeon, Don Smith, Eugene Reynolds and Marc Oudin. Also present were Assistant Attorney General, Chilesa Ready, Executive Director, Tommy Reed, Board staff and members of the audience.

Following a review of the Board Minutes for May 13, 2005, Mr. Sturgeon moved to approve the minutes as presented. Mr. Oudin seconded. The motion carried on voice vote with none opposed.

OLD BUSINESS

Transfers/Suspensions/Reinstatements:

A report was provided for information purposes: Twelve (12) transfer requests were submitted and approved during the month. There were ten (10) agent suspensions due to termination and one (1) agent resignation. Chairman Smith invited comment or discussion. There was none and the Board proceeded.

Forfeitures - Open:

The Open Forfeiture Report was presented. The Chair invited comment or discussion. Mr. Reed noted Holt Bonding Co. had a large number of forfeitures due June 10, 2005. There being no further discussion, the Chair called for motions. Mr. Oudin moved to suspend those licensees whose forfeitures were not timely paid between June 10 and July 8, 2005. Mr. Morris seconded. The motion was put to a voice vote and carried with all in favor.

Past Due Forfeitures:

The Past Due Forfeiture Report was presented for review. Chairman Smith invited questions, comments or discussion. It was noted that First Arkansas Bail Bonds had a large number of forfeitures. Mr. Reed noted the judgments had all been appealed from district court to circuit courts and had trial dates set but no trials had been held. There were no further comments and the Board proceeded.

NEW BUSINESS

May Vouchers Paid & Financial Report:

Chairman Smith invited questions and/or discussion regarding the vouchers paid in May. Hearing none, the Board proceeded to review the financial report for May.

License Approvals:

Three (3) bondsman license applications and fourteen (14) tentative bondsman applications were submitted for Board approval. Mr. Oudin moved to approve those applications as presented, pending receipt of necessary documentation. Mr. Reynolds seconded. The Chair called for discussion or comments; hearing none, the matter was put to a vote. The motion carried with none opposed.

The bondsman application of John McCool was presented for consideration. Mr. Peters, Board investigator, summarized the extensive documentary record received indicating Mr. McCool had

been arrested 13 times for various charges, none of which were for felonies. Mr. McCool was present and offered an explanation of the various charges and his actions regarding the arrest and disposition of the charges. He noted they occurred when he was young and foolish. The offenses were all traffic tickets except for the theft and non-support charges, which he noted were nolle prossed. There was considerable discussion by the Board members and Mr. McCool. Mr. Oudin moved to deny the license based on a string of arrests, failure to appear and failure to pay fines and a recent attempt to avoid service of a warrant. Mr. Reynolds seconded. The motion was put to a voice vote and carried with none opposed. License denied.

The Board turned next to consideration of the application of Donnie Savage which had been tabled at the May board meeting pending receipt of additional documentation from Mr. Savage. Mr. Reed noted receipt of letters from the Jefferson County Sheriff, Pine Bluff Police Chief, and the Jefferson County Circuit Clerk indicating Mr. Savage has no criminal record and noting no objections to Mr. Savage's bail bondsman application. Mr. Savage was present. After discussion, Mr. Oudin moved to grant the license. Mr. Reynolds seconded. The motion carried on a voice vote with none opposed.

Mr. Reed advised that Rebecca Walker, whose bondsman application had been denied at the May meeting, was present and asked that the Board reconsider her application. He noted the item had not been included on the agenda because he was unsure she would have the documentary information she needed and did not want to prejudice her by putting the item on the agenda and her not be present.

Mr. Oudin expressed frustration that the complete application and documents were not provided and that the matter should not have been put before the Board on such short notice. Mr. Reed acknowledged Mr. Oudin's concern and assured the Board that, in the future, items not presented by the Friday preceding the meeting would not be included on the agenda.

Ms. Walker presented the Board with court orders sealing her records and noted the incidents discussed at last month's meeting were several years ago. After discussion, Mr. Sturgeon moved to approve Ms. Walker's application. The motion died for lack of a second. After further discussion Mr. Sturgeon renewed his motion. Mr. Reynolds seconded. The motion carried on a voice vote with one opposed.

Company Application – D&G Bail Bonds, LLC.:

Mr. Reed reported that all paperwork had been received and was in order. David and Glen Rose, principles of D&G Bail Bonds, LLC. were present and answered questions from the Board. Mr. Oudin moved to approve the application. Mr. Morris seconded. The motion carried on a voice vote with none opposed.

Re: Disciplinary actions – criminal charges/conviction of felony

Mr. Reed explained he was asking the Board to set policy regarding initiation and prosecution of disciplinary actions in two instances: 1. Whether disciplinary actions should be initiated and prosecuted to conclusion when a licensee has been charged with a felony or disqualifying offense prior to the conclusion of the criminal proceedings; 2. Whether disciplinary actions should be initiated and prosecuted to conclusion when a licensee has been convicted of a felony or disqualifying offense and has appealed the conviction but the appeal is pending.

After considerable discussion of the issues involved, Mr. Sturgeon moved that Board policy be that disciplinary action should be initiated and prosecuted to conclusion when a licensee has been

charged with a felony or disqualifying offense prior to the conclusion of the criminal proceedings. Mr. Reynolds seconded. The motion carried on voice vote with none opposed.

As to the second policy issue, Mr. Sturgeon moved that Board policy be that disciplinary action should be initiated and prosecuted to conclusion when a licensee has been convicted of a felony or disqualifying offense and has appealed the conviction but the appeal is pending. Mr. Reynolds seconded. The motion carried on voice vote with none opposed.

Bail Bond Education program approval – Lisa Douglas

Lisa Douglas presented course outlines for beginning and continuing bail bond education programs and her resume for Board approval. After some discussion, Mr. Oudin moved to approve the proposed educational programs and the instructor. The matter was put to a voice vote and carried with none opposed.

Public Comments:

Chairman Smith opened the floor for public comments. Gary Edwards, president of the Bail Bond Association, noted that the Association had, in the past, issued identification cards to persons upon completion of the beginning education program. He noted there was no requirement for such id cards but that detention facilities liked agents having them. He noted he had discussed with Mr. Reed the possibility of the Board acquiring a system for issuing the cards. Mr. Reed advised he had gotten an estimate from a local provider in the range of \$4,500. Mr. Oudin moved to approve the purchase of a photo identification system. Mr. Sturgeon seconded. The motion carried on a voice vote with none opposed.

Mr. Sturgeon noted his displeasure with matters being placed on the agenda with no notice. He instructed Mr. Reed not to put items on the agenda without notice. Mr. Oudin agreed. Mr. Reed acknowledged the instruction and assured the Board it would not happen again.

There were no public comments and the meeting was adjourned.

Submitted for approval:

This 8th day of July, 2005 _____

Don Smith, Chairman